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May 16, 2023

VIA ECF

Hon. Ann M. Donnelly
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Josiah Galloway v. Nassau County et al., Docket No. 19-CV-5026 (AMD) (JMW)

Dear Judge Donnelly:

We represent the Nassau County defendants in the above-referenced action. The parties have met and conferred regarding a schedule to exchange updated Rule 56.1 Statements, as well as a schedule for summary judgment briefing. Pursuant to the Court's May 10, 2023 Electronic Order, plaintiff, the Nassau County defendants and the Village of Hempstead defendants have agreed upon and submit the following joint proposed briefing schedule for defendants' summary judgment motions:

- May 31, 2023 – defendants to file revised Joint Rule 56.1 Statement, revised declaration and exhibits.
- June 30, 2023 – plaintiff to file revised Rule 56.1 Counterstatement, revised declaration and exhibits, as well as plaintiff's statement of additional material facts, if any.
- July 31, 2023 – defendants to file their respective initial memoranda in support of motions for summary judgment and to respond to plaintiff's statement of additional material facts, if any.
- August 31, 2023 – plaintiff to file memoranda in opposition of defendants' motions for summary judgment.
- September 21, 2023 – defendants to file reply memoranda in further support of motions for summary judgment.

With this proposed schedule, defendants' summary judgment motions will be fully briefed and submitted by September 21, 2023.

Lastly, the defendants request permission to extend the page limit to defendants' respective summary judgment memoranda of law from twenty-five (25) pages to forty (40) pages, and request permission to extend the page limit of defendants' respective reply memoranda of law from ten (10) pages to twenty-five (25) pages. *See* Judge Donnelly Individual Practices and Rules 4(C), p. 4-5. This request is based on the extensive discovery related to this case, due to the time-span (10+ years) related to this case, and due to the number of remaining claims, which are intricate legal causes of action against several defendants and two (2) separate municipalities. Defendants do not

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oppose increasing plaintiff's memoranda in opposition to forty (40) pages. Plaintiff takes no position with respect to this request.

Thank you for the Court's consideration.

Respectfully yours,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

A handwritten signature in black ink, appearing to read "John A. Vitagliano", is written over a horizontal line. The signature is stylized with a large, sweeping initial "J" and a long, trailing flourish.

Cc: Counsel of Record (via ECF)